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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,270	01/21/2004	Kia Silverbrook	RRA23US	1025

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BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

UHLENHAKE, JASON S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/760,270	Applicant(s) SILVERBROOK, KIA	
	Examiner Jason Uhlenhake	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5 are rejected under 35 U.S.C. 103(a) as being obvious over Silverbrook et al (U.S. Pat. 6,588,952) in view of Kakutani (U.S. Pub. 2004/0095432).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

Silverbrook et al ('952) discloses:

- ***regarding claim 1***, a body defining a recess (Figures 8 and 9) dimensioned to locate a removable inkjet cartridge of a type having a pagewidth printhead and ink supply for supplying ink to the printhead (Column 1, Lines 44 – 48)
- ***regarding claim 2***, wherein the terminals are located upon one or more walls of the recess (Column 4, Lines 54 – 59)
- ***regarding claim 5***, wherein the terminals comprise data and power terminals (Column 4, Lines 46 – 59)

Silverbrook et al ('952) does not disclose expressly:

- ***regarding claim 1***, terminals positioned upon the body to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead

Kakutani discloses:

- ***regarding claim 1***, terminals positioned upon the body to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead (Paragraphs 0224, 0240), for the purpose of communicating print data to the printhead.

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of terminals positioned upon the body to contact corresponding terminals located upon the removable inkjet cartridge upon

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insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead as taught by Kakutani into the device of Silverbrook et al ('952). The motivation for doing so would have been to communicate print data to the printhead.

Claims 3, 4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al (U.S. Pat. 6,588,952) as modified by Kakutani (U.S. Pub. 2004/0095432), as applied to claim 1 above, and further in view of Silverbrook et al (U.S. Pat. 6,755,513).

Silverbrook et al ('952) discloses:

- ***regarding claim 3 and 4***, wherein the recess is elongate (Figures 4, 8, and 9)
- ***regarding claim 6***, body defining an elongate recess (Figures 4, 8, and 9) dimensioned to mate with a removable inkjet cartridge of a type having a pagewidth printhead and ink supply for supplying ink to the printhead (Column 1, Lines 44 – 48); power and data terminals (Column 4, Lines 46 – 59)

Silverbrook et al ('952) does not disclose expressly:

- ***regarding claim 3***, wherein the terminals are located on at least one end wall of the recess
- ***regarding claim 4***, wherein the terminals are located on opposing end wall of the recess

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- **regarding claim 6**, terminals positioned upon opposing end walls of the recess
- corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between said cradle and said cartridge for causing ink ejection from the printhead

Kakutani discloses:

- **regarding claim 6**, corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead (Paragraphs 0224, 0240), for the purpose of communicating print data to the printhead.

Silverbrook et al ('513) discloses:

- **regarding claim 3**, wherein the terminals are located on at least one end wall of the recess. (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2), for the purpose of establishing communication with the removable inkjet cartridge.
- **regarding claim 4**, wherein the terminals are located on opposing end wall of the recess (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2), for the purpose of establishing communication with the removable inkjet cartridge.
- **regarding claim 6**, terminals positioned upon opposing end walls of the recess (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2), for the purpose of establishing communication with the removable inkjet cartridge.

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At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead; terminals are located on at least one end wall of the recess; terminals are located on opposing end wall of the recess; terminals positioned upon opposing end walls of the recess to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between said cradle and said cartridge as taught by Silverbrook et al ('513) into the device of Silverbrook et al ('952). The motivation for doing so would have been to communicate print data to the printhead and to establish communication with the removable inkjet cartridge.

Response to Arguments

Applicant's arguments with respect to claims 1 - 6 have been considered but are moot in view of the new ground(s) of rejection. Please see the above rejections of Silverbrook et al ('952) as modified by Kakutani, and further in view of Silverbrook et al ('513). The disclose corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge for causing ink ejection from the printhead; terminals are located on at least one end wall of the recess; terminals are located on opposing end wall of the recess; terminals positioned upon opposing end

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walls of the recess to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between said cradle and said cartridge.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

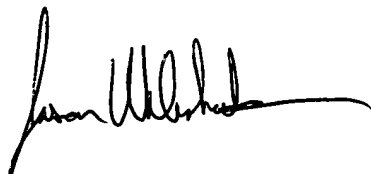
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Uhlenhake whose telephone number is (571) 272-5916. The examiner can normally be reached on Monday - Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JSU
March 3, 2006



 3/06
R. FEGGINS
PRIMARY EXAMINER